GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:6673
ANSWERED ON:10.05.2005
EXTENSION OF SCHEDULED AREAS ACT
Gamang Shri Giridhar

Will the Minister of TRIBAL AFFAIRS be pleased to state:

to the reply given to the Unstarred Question No. 3691 on 19th April, 2005 and state:

(a) whether there is a provision in Panchayat (Extension to Scheduled Areas) Act to amend the law by the concerned States having fifth Scheduled Areas on line with provision of Sixth Scheduled Areas;

(b) if so, whether the Government will direct the States to enact the law to provide relevant and related financial, administrative and other provisions of Sixth Scheduled Areas in the State Act as envisaged in provisions of the Panchayat (Extension of Scheduled Areas)Act; and

(c) if so, the details thereof?

Answer

MINISTER OF TRIBAL AFFAIRS (SHRI P.R. KYNDIAH)
(a) Section 4 (o) of the provisions of the Panchayats (Extension to the Scheduled Areas) (PESA) Act, 1996 envisages as under:-
` the State Legislature shall endeavor to follow the pattern of the Sixth Schedule to the Constitution while designing the administrative arrangements in the Panchayats at district levels in the Scheduled Areas`.

(b) & (c) The provision of Section 4(o) is advisory and the government has no intention to compel the state legislatures to follow the pattern of sixth schedule. It is for the state governments to take a decision in this regard.